



UNITED STATES PATENT AND TRADEMARK OFFICE

18 SEP 2007

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United States Patent and Trademark Office  
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Alexandria, VA 22313-1450  
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#13

KENYON & KENYON LLP  
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WASHINGTON DC 20005

In re Application of :  
PUHAKKA et al. :  
Application No.: 10/532,119 :  
PCT No.: PCT/GB03/04635 :  
Int. Filing Date: 27 October 2003 : DECISION  
Priority Date: 25 October 2002 :  
Attorney Docket No.: 12763/48401 :  
For: CIRCUIT SUBSTRATE AND METHOD :  
:

This is a decision on applicants' third renewed petition under 37 CFR 1.47(a) filed 23 July 2007 in the United States Patent and Trademark Office (USPTO).

**BACKGROUND**

On 27 October 2003, applicants filed international application PCT/GB03/04635, which designated the United States and claims a priority date of 25 October 2002. A copy of the international application was communicated from the International Bureau to the USPTO on 06 May 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 25 April 2005.

On 21 April 2005, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 06 September 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge under 37 CFR 1.492(h) for filing any of the search fee, the examination fee, or the oath or declaration after the date of the commencement of the national stage.

On 05 April 2006, applicants filed a petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, a petition/fee for a five-month extension of time, a statement of facts by Heather McCann, a copy of a letter from Heather McCann to the nonsigning joint inventor Iain Benson, a declaration of inventors, and the required surcharge.

On 30 June 2006, a decision was mailed dismissing applicants' petition under 37 CFR 1.47(a). Specifically, it was noted that a clear statement of the last known address of Mr. Benson had not been provided and that the declaration must identify all of the inventors including any nonsigning inventors.

On 23 June 2006, applicants submitted a renewed petition under 37 CFR 1.47(a), which was accompanied by, *inter alia*, two declarations of inventors.

On 13 September 2006, a decision was mailed dismissing applicants' renewed petition under 37 CFR 1.47(a) because the declarations of inventors filed 23 June 2006 were not in compliance with 37 CFR 1.497(a)-(b).

On 15 November 2006, applicants submitted a second renewed petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, a declaration of inventors.

On 22 January 2007, a decision was mailed dismissing applicants' renewed petition under 37 CFR 1.47(a) because there was a difference in names in one of the inventors between the published international application (Iain Benson) and the declaration of inventors (Ian Benson).

On 23 July 2007, applicants filed the instant third renewed petition under 37 CFR 1.47(a) which was accompanied by a declaration of inventors and an assertion of small entity status.

### **DISCUSSION**

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17(h); (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort; (3) a statement of the last known address of the missing inventor; and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

As noted in the decision mailed 30 June 2006, items (1) and (2) have been satisfied.

As noted in the decision mailed 13 September 2006, item (3) has been satisfied.

Item (4) has now been satisfied. The declaration of inventors filed 23 July 2007 is in compliance with 37 CFR 1.497(a)-(b).

A four-month extension of time fee for a small entity has been charged to Deposit Account 11-0600.

### **CONCLUSION**

For the reasons set forth above, applicants' renewed petition under 37 CFR 1.47(a) is **GRANTED**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including the accordation of a 35 U.S.C. §§371(c)(1), (c)(2), and (c)(4) date of 23 July 2007.



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IAIN BENSON  
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UNITED KINGDOM

In re Application of  
PUHAKKA et al.  
Application No.: 10/532,119  
PCT No.: PCT/GB03/04635  
Int. Filing Date: 27 October 2003  
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For: CIRCUIT SUBSTRATE AND METHOD

Dear Mr. Benson:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.



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